



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

DEC 10 2015

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

**Notice of Violation**

The Honorable Mayor Jerry Merrill  
Mayor, City of Rexburg  
35 North 1<sup>st</sup> East  
Rexburg, Idaho 83440

Re: May 12, 2015, NPDES Compliance Inspection  
NPDES Permit Number ID0023817

Dear Mayor Merrill:

On May 12, 2015, the Idaho Department of Environmental Quality (IDEQ) inspected the City of Rexburg Wastewater Treatment Plant (WWTP) in Rexburg, Idaho on behalf of the United States Environmental Protection Agency (EPA). The purpose of this inspection was to determine the facility's compliance with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) permit that applies to this site, NPDES Permit Number ID0023817. I would like to express my appreciation for your staff's time and cooperation during the inspection.

During the inspection, the IDEQ inspector evaluated the facility's operation relative to its NPDES Permit Number ID0023817. A review of the inspection report and EPA files revealed 192 violations at the time of the inspection. These findings are limited to those portions of the site covered during the inspection.

**VIOLATIONS**

**Reporting Noncompliance**

**Part III.B** states, "The permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1) or equivalent or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. The permittee must submit reports monthly, postmarked by the **10th day of the following month.**"

Upon review of the Integrated Compliance Information System (ICIS) report, the City of Rexburg has 39 DMR non-receipt violations under the permit section quoted above which are shown in the table below.

## Effluent Violations

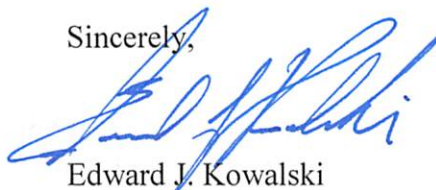
**Part I.A.1** states, "The permittee must limit and monitor discharges from outfalls 001 and 002 as specified in Table 1, below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit." After review of the DMR, it was noted that the City of Rexburg had 153 violations of exceedances of permit maximums as noted in the table below.

<u>Month/Year</u>	<u>Name</u>	<u>DMR Value</u>	<u>Permit Limit</u>	<u>Limit Type</u>	<u># Violations</u>
Oct 2011	E. coli, METC-MF	No Report	126 #/100mL	Mo Geo	31
Oct 2011	E. coli, METC-MF	No Report	576 #/100mL	Daily Mx	1
Oct 2011	Fecal coliform, MPN, EC med, 44.5C	No Report	200 #/100mL	Wkly Geo	7
Feb 2011	Lead, total [as Pb]	1	.161 lb/d	Mo Avg	28
Feb 2011	Lead, total [as Pb]	1	.28 lb/d	Mo Avg	28
Feb 2011	Lead, total [as Pb]	1	.32 lb/d	Daily Mx	1
Feb 2011	Lead, total [as Pb]	1	.56 lb/d	Daily Mx	1
Mar 2012	Lead, total [as Pb]	6	5.4 ug/L	Mo Avg	31
Mar 2013	Lead, total [as Pb]	1	.161 lb/d	Mo Avg	31
Mar 2013	Lead, total [as Pb]	1	.32 lb/d	Daily Mx	1
Mar 2013	Silver total recoverable	1	.16 lb/d	Mo Avg	31
Mar 2013	Silver total recoverable	1	.32 lb/d	Daily Mx	1

Please be advised that although the EPA exercises every precaution to ensure accurate inspection findings, we do not want to dismiss the possibility that the inspectors may have failed to observe areas of noncompliance. Although our goal is to ensure NPDES facilities comply fully with permits, the ultimate responsibility rests with the facility. The EPA retains all rights to pursue enforcement to address any violations.

If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski  
Director

Enclosure

cc: Stephen Berry  
IDEQ, Compliance, Inspection, Enforcement Lead

Erick Neher  
IDEQ, Idaho Falls Regional Office

John Millar  
Director of Public Works; Rexburg, Idaho